



U.S. Department of Justice
Office of the United States Trustee
Southern District of New York

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October 15, 2024

VIA E-Mail & ECF

Judge Sean H. Lane
United States Bankruptcy Court
300 Quarropas Street
White Plains, NY 10601

Re: **Harrington v. Manchanda, Adversary Proceeding No. 24-07009 (SHL)**

Dear Judge Lane:

Pursuant to Local Rule 7056-1 and the Court's direction at a hearing on September 12, 2024, the United States Trustee respectfully requests that a pre-motion conference be scheduled by the Court. The purpose of the pre-motion conference is to address the United States Trustee's intention to file a motion by summary judgment in the above-captioned adversary proceeding (the "Adversary Proceeding").

The United States Trustee proposes to move for summary judgment on all causes of action in connection with the Adversary Proceeding complaint, as follows:

- (a) on Count One of the complaint, an order denying the Debtor's discharge pursuant to Bankruptcy Code §727(a)(3);
- (b) on Count Two of the complaint, an order denying the Debtor's discharge pursuant to Bankruptcy Code § 727(a)(4); and
- (c) on Count Three of the complaint, an order denying the Debtor's discharge pursuant to Bankruptcy Code § 727(a)(5).

The United States Trustee has reviewed the answer/response to the complaint, and the evidence, and believes that summary judgment is appropriate.

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Thank you for your attention to this matter.

Respectfully yours,

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE

By: /s/ Greg M. Zipes
Greg M. Zipes
Trial Attorney

cc: Rahul Dev Manchanda

MEMORANDUM ENDORSED ORDER:

Given this letter and the most recent conference held on September 12, 2024, the Court understands that the Office of the U.S. Trustee (the “UST”) and the U.S. Attorney’s Office (the “USAO”) intend to file dispositive motions in these two adversary proceedings in the near future. See *Harrington v. Manchanda*, Adv. P. No. 24-07009; *U.S. v. Manchanda*, Adv. P. No. 24-07010. Given all the facts and circumstances in these cases and the underlying Chapter 7 bankruptcy, there is a need to address the merits of the substantive issues in these adversary proceedings promptly.

Accordingly, the UST and the USAO should each submit within the next seven days a letter containing a proposed briefing schedule for each of their respective motions; once the motions are fully briefed, the Court will schedule oral argument if the Court determines that oral argument is appropriate. In light of the impending filing of dispositive motions in these adversary proceedings, the pretrial conference scheduled for November 14, 2024 is adjourned without date until such time as such a conference is appropriate.

SO ORDERED.

Dated: October 16, 2024

/s/ Sean H. Lane
United States Bankruptcy Judge